

REMARKS

Claims 1-19 are currently pending in this application. New claims 16-19 are presented via this Amendment.

I. Formal Matters

Applicant thanks the Examiner for acknowledging his claim to foreign priority and for confirming receipt of the certified copy of the priority document.

Applicant also thanks the Examiner for initialling the references listed on Form PTO/SB/08 A & B submitted with the Information Disclosure Statement (IDS) filed on December 17, 2001. Applicant notes that an Examiner-initialled Form PTO/SB/08 A & B submitted with a second IDS on August 22, 2003, has not been returned, and Applicant kindly requests return of an initialled Form PTO/SB/08 for the IDS filed August 22, 2003, in a subsequent Office Action.

II. Claims

A. 35 U.S.C. §102(e) anticipation by *Meredith*.

Applicant has amended independent claims 1, 8, 9, and 15, keeping with the original disclosure and the spirit of Applicant's invention. The Examiner asserts that independent claims 1 and 8 are anticipated by *Meredith* under 35 U.S.C. §102(e). First, quoting claim 1, Applicant discloses and claims a "...cell station executing continuous interference monitoring...during a requested period...said maintenance terminal requesting said requested period..." Applicant's independent claims distinguish from *Meredith* at least by claiming the recording of interference data initiated in response to a request received by a cell station from a maintenance terminal.

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While this request is independent of communication signal transmission, it is not necessary for said recording to be done to the exclusion of, or in the absence of, communication signal transmission. *Meredith* fails to disclose the maintenance terminal requested recording period of interference data of Applicant's claim 1.

Particularly, *Meredith* discloses a communication operations system which monitors interference for immediate signal transmission integrity. "An object of the present invention is improved assessment of potential interference during communication between mobile radio units and...base sites..." (*Meredith*, col. 1, lines 56-59). *Meredith* discloses interference monitoring for present time, online assessment of potential interference distribution across multiple radio channels. When potential interference is detected, an alternate channel for signal transmission is selected (*Meredith*, col. 2, lines 61-67). *Meredith* monitors all antennae at multiple frequencies at predetermined periodic intervals (10 times per second) (col. 2, lines 22-26 and 44-46). *Meredith* does not disclose Applicant's claimed continuous interference monitoring only during a requested period, said requested period requested by a maintenance terminal.

Because *Meredith* fails to disclose each and every element of amended claim 1, Applicant asserts that the 35 U.S.C. §102(e) rejection of claim 1 is improper and should be withdrawn, and that claim 1 is now in condition for allowance.

Claim 8 has been amended to include the matter asserted as distinguishing claim 1 from *Meredith*, wherein claim 8 reads "...cell stations continuously monitoring interference during a requested period to produce interference data at least representative of an electric field intensity of an interfering wave;

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said cell station receiving said requested period from a maintenance terminal.”

In turn, the arguments presented herein for traversal of the *Meredith* 35 U.S.C. §102(e) rejection of claim 1 are also asserted in traversal of the 35 U.S.C. §102(e) rejection of claim 8. Accordingly, the 35 U.S.C. §102(e) anticipation by *Meredith* is asserted to be improper and should be withdrawn, and claim 8 is asserted to be in condition for allowance. The Examiner asserts that independent methods claims 9 and 15 are anticipated by *Meredith* under 35 U.S.C. §102(e) and refers to his explanation provided for claims 1 and 8. Independent claims 9 and 15 have been amended analogous to claims 1 and 8. Likewise, these amendments and the traversal arguments for claim 1 above are asserted for the allowance of claims 9 and 15.

For failing to disclose each and every element of Applicant’s independent claims 1, 8, 9, and 15, Applicant asserts that the 35 U.S.C. §102(e) anticipation by *Meredith* is improper. Claims 2-7 and 10-14 depend, either directly or indirectly, one of the independent claims now believed to be in condition for allowance. As such, said dependent claims are now asserted to be allowable as depending from an allowable independent claim.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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